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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,829	02/10/2006	Mitsuo Sasaki	023484-0222	2095
	7590 08/14/200 LARDNER LLP	EXAMINER		
SUITE 500	T NIW	YEAGLEY, DANIEL S		
3000 K STREET NW WASHINGTON, DC 20007			ART UNIT	PAPER NUMBER
			3611	
			MAIL DATE	DELIVERY MODE
			08/14/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1) Responsive to communication(s) filed on 10 September 2007. 2a This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-20 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The cath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1							
Examiner		Application No.	Applicant(s)				
Daniel Yeagley - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER. FROM THE MAILING DATE OF THIS COMMUNICATION. - If NO period for reply is sponified above, the maintening shadour product of the produc		10/567,829	SASAKI ET AL.				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensive of time raps by a existent where the provision of 3° CFR 1.36(a), into event however, are project by the triply filled. # 170 pared for right is specified above, the incurrence statistic princed will apply and value apply 50 K (8) MONTHS from the mailing date of this communication. * Failure for right yellow limit the set or examined period for right is specified above. The incurrence statistic princed will apply and value apply 50 K (8) MONTHS from the mailing date of this communication, seven if timely filed, may velice also years pared term adjustment. Set 37 CFR 1.76(b) This action is non-final. **STATUS** **STATUS** **STATUS** **STATUS** **STATUS** **STATUS** **STATUS** **PIRE **A STATUS** **PIRE **A STATU	Office Action Summary	Examiner	Art Unit				
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Art Unit: 3611

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1 - 12, drawn to a power steering system. Group II, claim(s) 13 - 20, drawn to a control method.

- 2. The inventions listed as Groups I and II; do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the independent claim of Group I lacks the special technical feature of the control method of the independent claim 13 of Group II.
- 3. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species 1; drawn to embodiment 1, figure 1.

Species 2; drawn to figure 15.

Species 3; drawn to figure 17.

Species 4; drawn to figure 18.

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Species 5; drawn to figure 19.

Species 6; drawn to figure 20.

Species 7; drawn to figure 21.

Species 8; drawn to figure 22.

Species 9; drawn to figure 23.

Species 10; drawn to figure 27.

Species 11; drawn to figure 28.

Species 12; drawn to figure 29.

Species 13; drawn to figure 30.

Species 14; drawn to figure 31.

Species 15; drawn to figure 34.

Species 16; drawn to figure 36.

4. Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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5. The claims are deemed to correspond to the species listed above in the following manner:

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From group I

Claim 4, appears to be drawn to species 1 - 4; figures 1, 15, 17, 18.

Claim 10, appears to drawn to species 1, 3, 6; figures 1, 17, 20.

Claim 11, appears to drawn to species 1, 2, 9, 11, 14; figures 1, 15, 23, 28, 31.

Claim 12, appears to be drawn to species 14; figure 31.

From group II

Claim 14, appears to be drawn to species 1 - 4; figures 1, 15, 17, 18.

Claim 15, appears to be drawn to species 15; figure 34.

Claim 18, appears to drawn to species 1, 2, 9, 11, 14; figures 1, 15, 23, 28, 31.

The examiner requests applicant's assistance in categorizing claims 1-20 into their respective embodiments.

The following claim(s) are generic:

Claim 1 appears to be generic to the power steering system of group I.

6. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: as observed by the many structural differences shown between each species disclosed in the numerous drawings and as further distinguished by applicant in the specification through the various descriptive differences between the numerous species, such that they clearly disclose an exponential number of special technical features between the species.

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7. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

- 8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 9. The examiner has required restriction between product and process claims. Where applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder. <u>All</u> claims directed to a nonelected process invention must require all the limitations of an allowable product claim for that process invention to be rejoined.

In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104. Thus, to be allowable, the rejoined

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claims must meet all criteria for patentability including the requirements of 35 U.S.C. 101, 102, 103 and 112. Until all claims to the elected product are found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained.

Withdrawn process claims that are not commensurate in scope with an allowable product claim will not be rejoined. See MPEP § 821.04(b). Additionally, in order to retain the right to rejoinder in accordance with the above policy, applicant is advised that the process claims should be amended during prosecution to require the limitations of the product claims. Failure to do so may result in a loss of the right to rejoinder. Further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Yeagley whose telephone number is (571)272-6655. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on (571) - 272 - 6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

D.Y.

/Joanne Silbermann/ Primary Examiner, Art Unit 3611